

Office of Air and Radiation 2013 Tribal Agenda

The Office of Air and Radiation (OAR) recognizes the important role that tribes have historically played in environmental issues including air quality. Tribal citizens are often disproportionately affected by air pollution, while their governments play an increasingly valuable role in controlling and reducing pollution and its adverse health effects. OAR's national programs provide important air quality and health benefits to tribal communities while assisting the efforts of tribal governments. However our obligations to support tribes in addressing air quality goals extend beyond these national efforts to include tribal specific priorities. OAR created its annual Tribal Agenda in 2011 to reflect the specific actions we intend to take to directly support tribes in our joint efforts to reduce the health impacts of air pollution.

This document discusses planned activities by OAR headquarter offices; Office of Radiation and Indoor Air (ORIA), Office of Air Quality Planning and Standards (OAQPS), Office of Transportation and Air Quality (OTAQ), and Office of Atmospheric Programs (OAP) to support, expand and assist tribal implementation of air quality management activities nationwide in fiscal year (FY) 2013. Note that much of EPA's support for improved air quality and increased capacity for air quality protection on tribal lands comes through activities led by EPA's regional offices. OAR headquarter offices and the regions work together on many tribal issues, and the headquarters activities described below supplement, complement and support the regional efforts. Starting in 2013, OAR will also include an appendix to our annual Tribal Agenda to highlight the previous year's achievements.

In 2013, OAR will continue to support development of tribal capacity to improve outdoor and indoor air quality and implement the Clean Air Act (CAA) in Indian country. OAR will minimize budgetary impacts on this capacity building as much as possible. Tribes have made tremendous progress with air quality management; but, there is still significant need for tribal air quality management programs to be developed, refined and supported. OAR has a robust set of activities underway for 2013 to support tribal activities. These actions include four priority areas: 1) Training and Capacity Building; 2) Technical Support; 3) Rules and Policies; 4) Internal EPA Activities and Additional Programmatic Efforts.

1. Training and Capacity Building

OAR recognizes the need for ongoing training and capacity building with our tribal partners. These opportunities are generally conveyed through our direct interactions with tribes and through the implementation of key grants, such as a cooperative agreement with Northern Arizona University's Institute for Tribal Environmental Professionals (ITEP) and ongoing efforts with the National Tribal Air Association (NTAA). The following are OAR's specific training and capacity building activities for 2013:

- Strengthen technical capacity of tribal grant recipients. Work with ITEP and the Tribal Air Monitor Support Center (TAMS) to continue to provide training for tribes: in reviewing and writing permits; participating in Tribal Implementation Plan (TIP) development; Treatment as State (TAS); emissions inventory development and other trainings as needed. [OAQPS]
 - Together, ITEP and the TAMS partners will offer 6 classroom and 4 online trainings for FY 2013 that will accommodate approximate 140 tribal participants.
 - Technical training course schedule (Las Vegas Location): GIS, Tribal Data Toolbox, Air Pollution Technology, Data Analysis and Interpretation, Data Loggers, IAQ and Weatherization.

- 4 online courses – Data Management, Tribal Data Toolbox, QA 101, Emissions Inventory.
- Offer a three-day technical Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM) training class to Navajo Nation EPA and Bureau of Mines personnel. This training will be held in Gallup, New Mexico and will assist the Navajo Nation in conducting and reviewing radiation surveys of sites, including former uranium mining sites. [ORIA]
- Co-host and sponsor 2 classroom and webinar training events for tribal professionals and builders on integrated approaches for healthy indoor environments, including both new construction, and renovation of existing structures. [ORIA]
- Offer training for tribal automotive technicians on improving motor vehicle air conditioning refrigerant servicing and reducing greenhouse gas emissions consistent with requirements established under Clean Air Act Section 609. In partnership with the Morongo Band of Mission Indians, the training will be held at the Morongo Reservation in February 2013. [OAP]
- Provide webinars and conference calls on issues including tribal NSR registration, important regulatory development and implementation and participation in the designations process. [OAQPS]
- Expand outreach and engage tribes on climate adaptation planning and mitigation implementation activities
 - Improve the content of the Tribal Climate and Energy Information website to provide tribes with resources and tools to address climate and energy issues. [OAP]
 - Facilitate tribal adaptation planning through training workshops, providing technical assistance webinars, and maintain a living website and monthly newsletter with a variety of informational resources on climate change impacts and adaptation. [OAP]
- Develop radiation science activities designed for middle school students in American Indian and Alaskan Native communities. These classroom materials are intended to increase awareness and greater understanding of radiation health risks and will focus on the real-life public health and environmental issues (e.g., uranium mining) encountered on tribal lands. [ORIA]

2. **Technical Support**

OAR recognizes the need to provide direct technical support to our tribal partners to assist them in implementing effective air quality programs and projects through the following activities:

- Support technical capacity building with tribes through technical support for training activities with ITEP, NTAA, policy calls, Tribal Air Newsletters and websites. [OAQPS]
- Complete guidance for tribes on Class I redesignation, and how tribes can participate in the designations process. [OAQPS]
- Complete registration calculators to support source registration required under the tribal NSR rule. [OAQPS]
- Propose and finalize one set of general permits or permits by rule for key source categories under the tribal NSR and propose a second set. [OAQPS]
- Provide technical support regarding indoor air quality.
 - Continue to support tribal participation in the radon test program for tribal homes, including outreach, education and analysis of test kits. In the past, over 17% of the tests had results in excess of the 4.0 pCi/l. action level. We anticipate 20 tribes will participate in 2013. [ORIA]

- Transition the EPA Indoor Air Quality (IAQ) Tribal Partners Program website to a “microsite” of EPA’s consolidated tribal programs website in FY 2013. ORIA will continue to enhance and update IAQ content on the new EPA tribal IAQ micro site to encourage and strengthen tribes’ capacity to take actions that improve indoor air quality and health in tribal communities. The website will facilitate peer-to-peer connections, illustrate successful approaches, and provide technical resources. [ORIA]
- Continue to encourage and support tribal participation in the State Indoor Radon Grants program. We anticipate tribes to apply and receive ten awards of \$15K to \$75K in FY 2013. [ORIA]
- Support the Moapa Tribe in Nevada with Tribal School Air Toxic Monitors (TSATM). This three month air toxics monitoring project aims at capturing air toxic pollutants emitted from facilities near schools. [ORIA]
- Support an Intergovernmental Personnel Agreement (IPA) to increase outreach, communication and technical support to Alaska Native Villages through the addition of one support person in the Anchorage Office. [OAQPS, Region10]
- Provide technical support for climate change related activities.
 - Continue to support 6 tribal Climate Showcase Community (CSC) grant recipients through administration of the CSC Program. Two tribes (Gila River and Choctaw Nation) will be closing out their grants in early 2013. Four additional tribes (Tanana Chiefs Conference, Northern Cheyenne, Confederated Tribes of Siletz Indians, and Santa Ynez Band of Chumash Indians) continue to have active grants. All six tribes will continue to receive access to CSC training opportunities and technical assistance as needed. [OAP]
 - Develop a tool to help tribes estimate greenhouse gas emissions on tribal lands and from tribal activities. When completed, the Tribal GHG Inventory Tool will help fulfill tribal interest in assessing greenhouse gas emissions. [OAP]
 - Continue to provide technical assistance to the Green Power Partnership (GPP) and Combined Heat and Power (CHP) Partnership tribal partners. There are currently three tribal partners, one for GPP and two for the CHP Partnership. OAP will continue engaging with tribes on these two programs in 2013. [OAP]
 - Provide technical support for the Diesel Emissions Reduction Act (DERA) program. DERA tribal staff will host 2 tribal teleconferences on the availability of DERA FY2013 National Funding Assistance Program funds.
 - Provide technical visits to at least 2 DERA tribal award projects. [OTAQ]
- Support the operation of tribal monitoring networks.
 - Continue to support Clean Air Status and Trend Network’s (CASTNET) rural air quality monitoring sites with tribal partners: Santee Sioux, NE, Cherokee Nation, OK, and Alabama – Coushatta, TX through 2013. [OAP]
 - Continue to support the NADP Ammonia Monitoring Network (NADP – AMoN) sites operated by Cherokee Nation, OK, and Santee Sioux, NE, through 2013. [OAP]
 - Continue wet deposition Mercury monitoring. The TAMS Center will assist the Hualapai Tribe in Arizona and Makah Tribe in Washington to conduct wet deposition Mercury monitoring up to August 1, 2013. We anticipate supporting up to two tribes upon completion of the current monitoring projects. [ORIA]

- The TAMS Gravimetric Laboratory will support approximately nine tribes with PM filter analysis services

3. Rules and Policies

OAR recognizes the need to increase the opportunities for tribes to fully participate in the OAR rule and policy development process. This will help ensure that OAR rules address tribal concerns and will strengthen the tribal programs and the implementation of policy making efforts. Following are specific activities for 2013:

- Conduct webinars on key rules to provide support for tribal participation for rulemaking actions. Webinars will be conducted as part of the rule development process to increase awareness and understanding; during the public comment period to enhance tribe's ability to provide meaningful input and post proposal, to aid in implementation of final rules.
- Implementation of Tribal New Source Review rules will include:
 - Training, outreach, capacity building, planning and development for implementation by tribes and regional offices and meeting data and recordkeeping requirements;
 - Develop General Permits, Permits by Rule and other rules to streamline implementation;
 - Implement the NSR database to track registration of sources;
 - Develop calculators for tribal NSR registration. [OAQPS]
- Implement ambient air rules and programs for Indian country including the following activities:
 - Complete and provide technical assistance to tribes to facilitate their participation in the designations process consistent with the 2011 policy on designations in Indian country;
 - Complete the guidance on redesignation to Class I for tribes. [OAQPS]

4. Internal EPA Activities and Additional Programmatic Activities

OAR acknowledges that in order to strengthen our collaboration with tribal communities, every employee of OAR needs to have a working knowledge of how their work may impact tribal communities. Additionally, OAR managed grants will continue to help tribes strengthen their efforts to address air pollution. Finally, OAR will participate in various internal and external activities to expand overall communication and collaboration with tribal nations. Following are specific activities for 2013:

- Increase OAR knowledge of tribal air quality programs and requirements through training efforts and internal teambuilding.
 - Provide training opportunity for all OAR management and staff on "Working Effectively with Tribal Governments" using the online training located at <http://tribal.golearnportal.org/> or <http://intranet.epa.gov/aieo/training/tribal/EPA/mainmenu/launchPage.htm>.
 - Provide additional training opportunities for OAR management and staff to enhance their ability to work effectively with tribes and on tribal issues.
 - Strengthen OAR's internal tribal team with cross office representation.
 - Initiate an internal tribal group within the Office of Transportation and Air Quality (OTAQ) to communicate and discuss tribal impacts of mobile source related work and to advance tribal communications within OTAQ.

- Create OAR policies to ensure integration of tribal programs in OAR activities and specifically tribal consultation efforts under EO 13175 and EPA's developing implementation plan and policy.
 - Consult with tribes and finalize OAR Plan for Interacting with Tribal Governments based on OAQPS consultation policy.
 - Finalize and implement the Indoor Air and Radiation Tribal Strategy and Plan. The Plan will optimize limited indoor air quality resources in headquarters and the regions, and ensure our tribal indoor air and radiation protection activities are culturally relevant and responsive to tribal needs. [ORIA]
- Continue and expand if possible, the use of Agency grant programs to increase tribal air quality efforts.
 - Manage national grants with NTAA and ITEP.
 - Award a new multiyear grant for continued operation on the NTAA.
 - Coordinate with NTAA and ITEP to support and assist with the annual National Tribal Forum (NTF) jointly. [OAR]
 - Ensure effective implementation of grants to support training and technical support with ITEP, encourage tribal students to pursue careers in air quality management with the EEOP program and, develop and enhance tribal participation in policy and regulatory development with the NTAA.
 - Support the TAMS Center's base operations to ensure the provision of top quality training and technical support. The TAMS Center will also upgrade IT capabilities to improve the capabilities of the Virgil Masayesva Tribal Training Center and ensure provision of top quality training. [OAR]
 - Pursue additional opportunities through Indian General Assistance Programs Funding.
 - Consult with tribes on modifying allocation factors for State and Tribal Air Grant funds.
- Additional collaborations.
 - Continue to coordinate with EPA offices outside of OAR to fully implement the 2011 Consultation Policy.
 - Collaborate and form partnerships with federal and private entities involved in tribal building projects. These collaborative partnerships will help develop clear and consistent policy and guidance on construction of buildings integrating features to promote good indoor air quality.

Office of Air and Radiation Tribal Highlights for 2012

In 2012, OAR continued to support development of tribal capacity to improve outdoor and indoor air quality and implement the Clean Air Act (CAA) in Indian country.

As of the end of 2012, EPA has determined thirty seven tribes had been found eligible to implement one or more of the CAA programs in Indian country. Five tribes have submitted implementation plans for CAA programs for their reservations. Three tribes are implementing CAA §110, two tribes are implementing Title V permitting programs, and one is developing a minor new source permitting program. Many other tribes are conducting assessments, monitoring their air quality, both indoors and out, and undertaking activities typical of any air quality management program, including conducting outreach and education efforts for their communities, participating in local, regional and national planning efforts and organizations including the National Tribal Air Association (NTAA), and working with neighboring jurisdictions and EPA to develop effective programs and policies.

OAR implemented a set of activities in 2012 to support these widespread and diverse tribal air quality programs. The selections below highlight some of OAR's achievements from our 2012 Tribal Air Agenda. These highlights are arranged consistently with the 2013 Agenda's four priority areas: 1) Training and Capacity Building; 2) Technical Support; 3) Rules and Policies; 4) Internal EPA Activities and Additional Programmatic Activities.

1. Training and Capacity Building

OAR recognizes the need for ongoing training and capacity building with our tribal partners. These opportunities are generally conveyed through our direct interactions with tribes and through the implementation of key grants, such as a cooperative agreement with Northern Arizona University's Institute for Tribal Environmental Professionals (ITEP) and ongoing efforts with the National Tribal Air Association (NTAA). In 2012, OAR provided numerous training opportunities including:

- Conducted 14 rulemaking tribal consultations with over 41 tribes to address regulatory actions.
- Conducted webinars on key rules such as: MATS; NSPS for Wood Heaters; Pulp and Paper; Ozone Advance; NAAQS 1-Hour NO₂, SO₂ and PM_{2.5} and tribal NSR.69 classroom style trainings to tribal professionals. The training classes covered Tribal New Source Review, meteorological monitoring, GIS for air quality, AQS, general air pollution technology, emissions inventory, data management, and data analysis by the TAMS Center.
- OAP has supported development of a national climate change adaptation planning training program and online resources for tribes. In 2011 and 2012, 87 people from 62 tribes or tribal organizations have been trained in developing adaptation plans to prepare for the expected impacts via the ITEP training grant.
- Through its Professional Assistance (PA) program, the Tribal Air Monitoring Support (TAMS) Center reached out to nine tribal nations to provide on-site, one-on-one technical assistance. The assistance ranged from setting up monitors, to trouble shooting, maintenance and calibration of equipment.
- Participated in West Coast Collaborative Retreat in Seattle, Washington, featuring various stakeholders, including active Diesel Emissions Retrofit Act (DERA) tribal awardees, and

Region 9 and 10 tribal air program staff. Addressed various DERA inquiries and networked with regional staff from Regions 9 and 10 to strengthen DERA's tribal outreach efforts.

- Hosted a webcast, "Tribal Approaches to Address the Changing Climate," to showcase tribes that are implementing energy conservation, materials recycling, and adaptation programs. Over 160 participants – primarily tribal government staff or from various federal agencies, as well as representatives from city and state governments, academic institutions, and non-profit groups – participated.

2. Technical Support

OAR recognizes the need to provide direct technical support to our tribal partners to assist them in implementing effective air quality programs and projects through the following activities:

- **Monitoring Support:**
 - The TAMS Center supported the Hualapai Tribe in Mercury monitoring during 2012.
 - Tribal School Air Toxic Monitors (TSATM) have been loaned to the Leech Lake Band of Ojibwe and the Red Lake Band of Ojibwe. This three month air toxics monitoring project aims at capturing air toxic pollutants emitted from facilities near schools. Both projects were completed in February 2012 and equipment was sent to the TAMS Center in order to prepare the equipment for the next deployment. The Rincon Tribe in California has submitted an application for TSATM.
 - Assisted the Cherokee Nation continue operation of their atmospheric mercury monitoring site as part of the National Atmospheric Deposition Program's Atmospheric Mercury Network (NADP/AMNet). The partnership between EPA, Cherokee Nation and NADP enhanced data and analytical capabilities, filled an important data gap in national monitoring coverage, and fostered important research, including mercury source-receptor relationships and regional estimates of mercury dry deposition.
- **Radon grants:**
 - 8 tribes received SIRG grants in 2012 to support tribal radon programs. In FY 2012, tribes received 339K of funding through SIRG grants.
- **Web resources and support:**
 - Indoor Air Quality Tribal Communities/NAU (IAQTC) website activity:
 - 5,000 total visits to the IAQTC website with about 400 visitors per month. As a complement to our IED web presence, NAU/ITEP developed a website that tracks their technical assistance and training efforts regarding their cooperative agreement deliverables.
 - Tribal IAQ Website Activity:
 - 3,708 total visits were received to the EPA IAQ Tribal Website with approximately 309 visits per month. Most visitors were seeking basic information about indoor air or more specific information about mold and radon.

3. Rules and Policies

OAR recognizes the need to increase the opportunities for tribes to fully participate in the OAR rule and policy development process. This will help ensure that OAR rules address tribal concerns and will strengthen the tribal programs and the implementation of policy making efforts. Following are specific highlights for 2012:

- Developed training and support materials to implement Tribal Minor New Source Review including :
 - Developed a Tribal NSR Implementation Manual and completed a Tribal Minor New Source Review (NSR) module in the OAR Tribal System (OTS).
 - This is a resource tool to support understanding and implementation of the federal Tribal Minor New Source Review (NSR) rule.
- Developed registration calculators for 13 source categories.
 - Registration calculators were completed in February 2013.
- Developed first 5 General Permits for the following source categories: Dry Cleaning, Auto Body, Gas Dispensing, Hot-Mix Asphalt Plants, and Rock Crushing.
 - Permits are still in the development stage.
- Developed Tribal NSR webpage.
- Training including classroom, webinars and conference calls.

4. Internal EPA Activities and Additional Programmatic Activities

OAR acknowledges that in order to strengthen our collaboration with tribal communities, every employee of OAR needs to have a working knowledge of how their work may impact tribal communities. Additionally OAR managed grants will also continue to help tribes strengthen their efforts to address air pollution. Finally, OAR will participate in various internal and external activities to expand overall communication and collaboration with tribal nations. Following are highlights from 2012:

- Increased OAR knowledge of tribal air quality programs and requirements through training efforts.
- All OAR management and staff completed EPA's "Working Effectively with Tribal Governments" online training.
- Drafted an OAR Plan for Interacting with Tribal Governments via a committee comprised of representatives from each of OAR's program offices (OAP, ORIA, OAQPS and OTAQ) and 5 tribal representatives including 2 members of the NTAA Executive Committee. This group met on a bi-weekly basis with the goal to develop an OAR Consultation Plan, utilizing prior guidance developed and used by OAR's OAQPS's Consultation with Indian Tribal Governments
- Drafted the Indoor Air and Radiation Tribal Strategy and Plan. The Plan will optimize limited indoor air quality resources in headquarters and the regions, and ensure our tribal indoor air and radiation protection activities are culturally relevant and responsive to tribal needs.
- Strengthened outreach and communication to increase tribal participation in Diesel Emission Retrofit Act (DERA).
 - OAR hosted two DERA teleconferences focused specifically on tribal applications.
 - OAR developed a DERA tribal webpage to feature DERA tribal awardees and share information. <http://www.epa.gov/cleandiesel/prgtribal.htm>
 - OAR visited a DERA tribal awarded project. Staff visited and met with the grant administrators, tribal environment and forestry staff, as well as recipient fishermen from the 2011 Tulalip DERA grant award. The Tulalip Tribe is located along the western shores of Washington State and has received two DERA competition awards.